



CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
September 4, 2014 Meeting Minutes

Roll Call

A regular meeting of the City Council was called to order by City Council President William H. Dwight at 7:05 p.m. On roll call, nine (9) Councilors were present:

- At-Large Councilor Jesse M. Adams
- At-Large Councilor William H. Dwight
- Ward 1 Councilor Maureen T. Carney
- Ward 2 Councilor Paul D. Spector
- Ward 3 Councilor Ryan R. O'Donnell
- Ward 4 Councilor Gina-Louise Sciarra
- Ward 5 Councilor David A. Murphy
- Ward 6 Councilor Marianne L. LaBarge
- Ward 7 Councilor Alisa F. Klein

PUBLIC HEARINGS

- None

PRESENTATIONS

- Donnabelle Casis, Founder & Dir. of Florence Night Out
Presentation: Florence Night Out Event on September 19, 2014 5:30-8:30 pm

Ms. Casis invited the community to take part in the upcoming event which will feature many activities in and around Florence. The event is free and will feature:

- Art Always – craft table at Arts & Industries
- Wine & Canvas – painting sessions, FAB
- Family Fun Magazine – games & activities
- Teri Anderson – zydeco dance lessons, VFW
- Northampton HS Improv Troupe – Cup and Top
- Bike demos from Electric Ride and Full Circle Bike Shop
- Movie screening at Full Circle Bike Shop
- Cooper's Corner – Beer and wine tasting
- First Church – refreshments at FAB
- Friendly's – free happy ending sundae with any meal

To learn more about the event, community members can visit www.florencefrightout.com on the web.

- Tom Pease, 1812 Paint and Body, Inc.
Presentation: Salute2Summer Event on September 6, 2014
 - Mr. Pease complimented the Dept. of Public Works and the Recreation Dept. on the creation of the Florence Fields. The Salute2Summer event is a fundraising event; proceeds from the event will benefit Northampton Recreation Department. There is a fee for admission; kids 12 and under are free. The event will feature The Bronx Wanderers and will take place at the Pines Theatre at Look Park in Florence. More information is available on line at www.salute2summer.com.

COMMUNICATIONS
FROM THE MAYOR

- None

PROCLAMATIONS,
RESOLUTIONS,
RECOGNITIONS
AND ONE-MINUTE
ANNOUNCEMENTS
OF EVENTS

- Councilor Adams announced that the 11th annual Jazz Festival will take place 11am-10 pm on Saturday, September 6th in the parking lot behind Thornes; Admission is free.
- Councilor Klein announced that the Committee on Social Services, Veterans Culture and Recreation will be holding 2 public hearings regarding the Resolution on Vibrant Sidewalks; Monday Sept 15th 5:30 Council Chambers; Oct. 14th 7-8:30 pm at the Florence Civic Center.
- Councilor LaBarge talked with residents on Sylvester Road; residents are happy with the work that will be taking place. Work is scheduled to be performed September through mid-October.

LICENSES AND PETITIONS

License Petition Approved

- Second Hand Dealer's License: James B. Crocker of 48 Graves Avenue, Northampton, MA for Modern Myths, Inc., 34 Bridge Street, #4 (Renewal)

Councilor LaBarge moved to approve the petition; Councilor Sciarra seconded the motion. The petition was approved on a voice vote of 9 Yes, 0 No.

License Petition Approved

- Second Hand Dealer's License: John Malinkowski of 1 Acorn Drive, Holyoke, MA for Ryan's Jewelers, 14 Strong Avenue (New)

Councilor LaBarge moved to approve the petition; Councilor Spector seconded the motion. The petition was approved on a voice vote of 9 Yes, 0 No.

APPROVAL OF MINUTES

Minutes Approved

- Approval of City Council Minutes of August 14, 2014

Councilor LaBarge moved approval of the City Council Minutes of August 14, 2014; Councilor Spector seconded. The minutes were approved on a voice vote of 9 Yes, 0 No.

REPORTS OF COMMITTEES, APPOINTMENTS, AND ELECTIONS

Minutes approved

- Meeting Minutes:
 - Transportation & Parking Commission Meeting Minutes of July 15, 2014

Councilor O'Donnell moved approval of minutes; Councilor LaBarge seconded. The minutes were approved on a voice vote of 9 Yes, 0 No.

- Board of Public Works:
 - 14.224 Petition for Private to Public Roadways—Recommendation NOT to Accept Park Avenue
 - 14.225 Petition for Private to Public Roadways—Recommendation NOT to Accept Paquette Avenue

Recommendation Accepted

Councilor Spector moved approve the recommendation not to accept Park Avenue and Paquette Avenue as Public Streets and to recognize members of the Board of Public Works; Councilor LaBarge seconded; the motion passed on a voice vote of 9 Yes, 0 No.

Mr. Culhane explained that the criteria used to determine whether a street should be accepted are not an absolute. Such criteria includes:

*Were the streets previously approved by City Council ?
Does the street meet current design standards ?
Does the street allow for two-way traffic ?
Is the street a dirt or paved road ?
Is the street conducive to plowing ?
Is it a through street ?
Is the street actively used by non-residents ?
Does the street have some other value to the City, such as utilities under the road?
Is there an opportunity for residents to have off-street parking during storms ?*

- Appointments to Committees:
 - Housing Partnership:
 - New Appointments:
 - Intiya Isaza-Figueroa, 44 State St., #1R Term September, 2014 – August, 2015 membership begins immediately to fill vacancy left by the retirement of Lauren Voyer (Refer to Committee on Rules, Orders, Appointments, and Ordinances)

Referred

Councilor LaBarge moved to refer the appointment to the Committee on Rules, Orders, Appointments, and Ordinances; Councilor O'Donnell seconded the motion; the motion passed on a voice vote of 9 Yes, 0 No.

- Arts Council:
 - New Appointments:
 - Jonah Zuckerman, 82 Jackson St., Term October 2014-October 2017 to fill the vacancy left by David Kutcher (Refer to Committee on Rules, Orders, Appointments, and Ordinances)
 - Herbert E. Ross, 39 Service Center, Term October 2014-October 2017 to fill the vacancy left by Joan Axelrod-Contrada (Refer to Committee on Rules, Orders, Appointments, and Ordinances)
 - Jean-Paul Maltinsky, 44 Liberty St., Term October 2014-October 2017 to fill the vacancy left by Carl

Russo (Refer to Committee on Rules, Orders, Appointments, and Ordinances)

Referred Councilor LaBarge moved to refer the appointments to the Committee on Rules, Orders, Appointments, and Ordinances, Councilor Carney seconded the motion; the motion passed on a voice vote of 9 Yes, 0 No.

- Reappointment:
 - Ellen Augarten, 253 Crescent St., Term August 2014-August 2017 (Refer to Committee on Rules, Orders, Appointments, and Ordinances)

Referred Councilor LaBarge moved to refer the reappointment to the Committee on Rules, Orders, Appointments, and Ordinances, Councilor Sciarra seconded the motion; the motion passed on a voice vote of 9 Yes, 0 No.

Recess for Finance Committee

At 8:00 p.m. the Council recessed for a Finance Committee Meeting.

City Council Reconvened

At 8:20 p.m. the Regular Meeting of the City Council reconvened.

**FINANCIAL
ORDERS**

1. Financial Order: 14.221 Appropriate from unallocated funds remaining in FY14 Cash Capital Program to the Academy of Music Fire Escape Renovation Account. (1st Reading)

At the request of the Mayor during Finance, the Council agreed to have two reading on this item.

Councilor LaBarge moved approval in the first reading; Councilor Sciarra seconded. The Financial Order was approved in first reading with a roll call vote of 9 Yes, 0 No.

Councilor LaBarge moved to Suspend Rule 14 to allow for a second reading; Councilor Spector seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor LaBarge moved approval in the second reading; Councilor Sciarra seconded. The Financial Order was approved in second reading with a roll call vote of 9 Yes, 0 No.

The following Order passed second reading:

In City Council

Upon recommendation of the Mayor

Whereas,

City Council appropriated \$85,000 for replacement of the Fire Escapes at the Academy of Music as part of the FY14 Capital Plan;

Whereas,

City Council appropriated and additional \$117,200 from Free Cash on May 15, 2014 for replacement of the Fire Escapes at the Academy of Music in order to fully fund the project once bids were received for a total project cost of \$202,200;

Whereas,

Additional funds are necessary to provide for limited containment of lead paint on components that are being removed;

Whereas,

There remains \$34,522.67 remaining in unallocated Cash Capital Funds from the FY14 Capital Plan;

Ordered, that

\$12,305 be appropriated from unallocated funds remaining in the FY14 Cash Capital Program (19303 586400) to the Academy of Music Fire Escape Renovation Account (19303 856405).

Enrolled

Rules suspended, passed two readings and enrolled.

2. Financial Order: 14.222 Appropriate from unallocated funds \$18,326 for a folding & inserting machine. (1st Reading)

Councilor Murphy moved approval in the first reading; Councilor Carney seconded. The Financial Order was approved in first reading with a roll call vote of 9 Yes, 0 No.

See minutes of September 18, 2014 for second reading.

3. Financial Order: 14.223 Reprogram Muni Bldg ADA Access to City Hall Painting \$12,939.80. (1st Reading)

At the request of the Mayor during Finance Committee, the Council agreed to have two reading on this item.

Councilor LaBarge moved approval in the first reading; Councilor Sciarra seconded. The Financial Order was approved in first reading with a roll call vote of 9 Yes, 0 No.

Councilor LaBarge moved to Suspend Rule 14 to allow for a second reading; Councilor Spector seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor LaBarge moved approval in the second reading; Councilor Sciarra seconded. The Financial Order was approved in second reading with a roll call vote of 9 Yes, 0 No.

The following Order passed second reading:

In City Council September 4, 2014

Upon recommendation of the Mayor

Whereas,

City Council appropriated \$15,000 for making Council Chambers ADA

accessible as part of the FY13 Capital Plan;

Whereas,

The majority of the work was done in house and there is a balance of funds remaining from the project of \$12,939.80 (19303-586304) and it is the Mayor's intention to reprogram this remaining balance for other capital needs;

Whereas,

There is an identified need to provide additional funds for the painting of City Hall due to more extensive work discovered during the repairs;

Ordered, that

\$12,939.80 be reprogrammed from the balance of the Council Chambers ADA project for the purpose of providing additional funds for the painting of City Hall.

Enrolled

Rules suspended, passed two readings and enrolled.

Councilor Adams moved to approve street acceptances 4-12 below as a group and to waive reading of all of the Street Acceptances; Councilor Spector seconded. The motion passed on a voice vote of 9 Yes; 0 No. The Financial Orders below were approved in second reading with a roll call vote of 9 Yes, 0 No.

4. Financial Order: 14.201 City acquisition of Lawn Avenue as a public way. (2nd Reading)

The following Order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Lawn Avenue as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Lawn Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Lawn Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 29, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled

Rules suspended, passed two readings and enrolled.

5. Financial Order: 14.202 City acquisition of Prospect Court as a public way. (2nd Reading)

The following Order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Prospect Court as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public

Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Prospect Court as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Prospect Court" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled

Rules suspended, passed two readings and enrolled.

6. Financial Order: 14.203 City acquisition of Strawberry Hill as a public way. *(2nd Reading)*

The following Order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Strawberry Hill as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Strawberry Hill as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Strawberry Hill" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated April 12, 2013, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled

Rules suspended, passed two readings and enrolled.

7. Financial Order: 14.204 City acquisition of Tyler Court as a public way. *(2nd Reading)*

The following order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Tyler Court as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public

Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Tyler Court as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Tyler Court" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled Rules suspended, passed two readings and enrolled.

8. Financial Order: 14.208 City acquisition of Wilder Place as a public way. (2nd Reading)

The following order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Wilder Place as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Wilder Place as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Wilder Place" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 23, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled Rules suspended, passed two readings and enrolled.

9. Financial Order: 14.209 City acquisition of Carpenter Avenue as a public way. (2nd Reading)

The following order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Carpenter Avenue as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public

Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Carpenter Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Carpenter Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 24, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled

Rules suspended, passed two readings and enrolled.

10. Financial Order: 14.210 City acquisition of Bratton Court as a public way. (2nd Reading)

The following order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Bratton Court as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Bratton Court as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Bratton Court" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 28, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled

Rules suspended, passed two readings and enrolled.

11. Financial Order: 14.212 City acquisition of Isabella Street as a public way. (2nd Reading)

The following order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Isabella Street as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Isabella Street as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Isabella Street" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated April 12, 2013, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled Rules suspended, passed two readings and enrolled.

12. Financial Order: 14.214 City acquisition of Edwards Square as a public way. (2nd Reading)

The following Order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Edwards Square as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Edwards Square as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Edwards Square" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated June 7, 2013, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled Rules suspended, passed two readings and enrolled.

Councillor Carney moved to approve street acceptances 13 and 14 below as a group; Councillor Spector seconded. The motion passed on a voice vote of 9 Yes; 0 No. The Financial Orders were approved in second reading with a roll call vote of 8 Yes, 0 No, 1 Abstention (Councillor Murphy)

13. Financial Order: 14.200 City acquisition of Ahwaga Avenue as a public way. (2nd Reading)

The following order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

- WHEREAS, a petition has been duly filed to layout and accept Ahwaga Avenue as a public way; and
- WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and
- WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and
- WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Ahwaga Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Ahwaga Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated May 7, 2014, for the purpose of laying out, establishing and accepting public ways thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public ways the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled Rules suspended, passed two readings and enrolled.

14. Financial Order: 14.211 City acquisition of Baker Hill Road as a public way. (2nd Reading)

The following Order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

- WHEREAS, a petition has been duly filed to layout and accept Baker Hill Road as a public way; and
- WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and
- WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and
- WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Baker Hill Road as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Baker Hill Road" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated March 10, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled Rules suspended, passed two readings and enrolled.

15. Financial Order: 14.213 City acquisition of Church Street as a public way. (2nd Reading)

Councilor LaBarge moved approval in the second reading; Councilor Adams seconded. The Financial Order was approved in second reading with a roll call vote of 8 Yes, 0 No, 1 Abstention

(Councilor Carney)

The following order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Church Street as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Church Street as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as "Church Street" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated April 12, 2013, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

Enrolled

Rules suspended, passed two readings and enrolled.

16. Financial Order: 14.215 Accept legislation regarding Retired Teacher Health Care Costs. (2nd Reading)

Councilor LaBarge moved approval of the order in the second reading; Councilor Spector seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The following Order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

Whereas

Northampton has been prohibited from counting retiree health costs in net school spending calculations;

Whereas

The legislature has passed legislation that directs the Commissioner of Elementary and Secondary Education to begin a four-year phase-in of equal increments to include health care costs for retired school employees as part of net school spending for any district which accepts this section and in which such costs were not considered part of net school spending in Fiscal Year 1994;

Ordered, that

The City Council accepts the provisions of Outside Section 260 of the Fiscal Year 2015 General Appropriation Act (the state budget), which provides for a 4-year phase-in beginning in FY 2016 of equal increments to include health care costs for retired teachers as part of net school spending under Chapter 70 for Northampton Public Schools and Smith Vocational and Agricultural High School.

Enrolled

Rules suspended, passed two readings and enrolled.

17. Financial Order: 14.207 Approve \$1,500 for the Commission on Disabilities for supplies, events, travel, meetings, printing and mailing during FY2015. (2nd Reading)

Councilor LaBarge moved approval of the order in the second reading; Councilor O'Donnell seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The following Order passed second reading:

In City Council August 14, 2014

Upon recommendation of the Mayor,

Ordered, that

City Council approve a \$1,500 budget for the Commission on Disabilities to be used for supplies, events, travel, meetings, printing and mailing during Fiscal Year 2015. Said expenditures to come from the Commission on Disabilities Fund established under Chapter 40, Section 22G and funded by handicap parking violation fines.

Enrolled

Rules suspended, passed two readings and enrolled.

**ORDERS &
ORDINANCES**

1. Ordinance: Amend §350-3.4 Zoning Map for Farms, Forests & Rivers (*Positive Recommendation from Committee on Economic & Community Development, Housing & Land Use, Planning Board, and Committee on Rules, Orders, Appointments and Ordinances, 2nd Reading*)

Councilor O'Donnell moved approval of the order in the second reading; Councilor LaBarge seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The following Ordinance passed second reading:

In the Year Two Thousand Fourteen

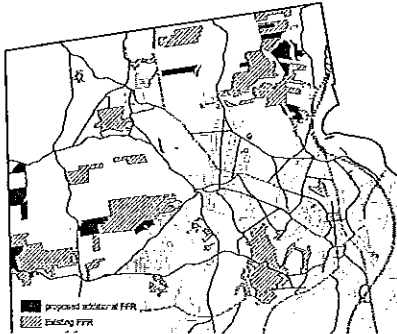
Upon the Recommendation of the Conservation Commission and Planning Board

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 350-3.4 of said code; to rezone all City conservation land to Farms Forests and Rivers (FFR) that is not already FFR or Special Conservancy

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 350-3.4 Zoning Map of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

{Amend zoning map so all existing city-owned conservation areas and areas under deposit to become conservation areas that not already Farms Forest and Rivers (FFR) or Special Conservancy are added to the FFR district, as shown on the map below.}



Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

2. Ordinance: Amend §350 Section 2.1 Affordable Units (*No Recommendation from Committee on Economic & Community Development, Housing & Land Use; positive recommendation from Committee on Rules, Orders, Appointments and Ordinances, 1st Reading*)

Councilor Carney moved to approve the Ordinance in the first reading; Councilor Spector seconded the motion. The Ordinance passed in 1st reading on a Roll Call Vote of 9 Yes, 0 No.

Councilor Labarge moved to Suspend Rule 14 to allow for a second reading; Councilor Spector seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor Carney moved to approve the Ordinance in the second reading; Councilor O'Donnell seconded the motion. The Ordinance passed in 2nd reading on a Roll Call Vote of 9 Yes, 0 No.

The following Ordinance passed second reading:
In the Year Two Thousand Fourteen

UPON Sponsorship by the Office of Planning & Sustainability

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising Chapter 350 Section 2.1 Definitions of said code; providing that affordable housing units created in the City qualify under Massachusetts official housing inventory.

Change the following definition under 2.1 as follows:

AFFORDABLE UNITS

Housing units which are affordable for rent or purchase by households making 80% of the median household income for Northampton and, to the extent practicable, are only available to households whose income does not exceed 80% of median income, as calculated by the U.S. Department of Housing and Urban Development, with adjustments for family size. These units shall be eligible for credit under MGL Chapter 40B Massachusetts Subsidized Affordable Housing Inventory. There shall be deed restrictions, easements, covenants or other mechanisms to ensure that the units are affordable for a minimum of 99 years for rental housing or minimum 30 years for homeownership units.

Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

Referred

Councilor Adams moved to refer Ordinances 3-6 below to the Committee on Rules, Orders, Appointments and Ordinances as a group; Councilor Spector seconded.

3. 14.219 Ordinance: Amend §312-104 Schedule III: Limited-Time Parking (*Refer to Committee on Rules, Orders, Appointments, and Ordinances*)
4. 14.220 Ordinance: Amend §312-109 Schedule VIII: On Street Parking Meter Zones (*Refer to Committee on Rules, Orders, Appointments, and Ordinances*)
5. 14.218 Ordinance: Amend §350.12.2-6 Lighting Standard Review/Assessment (*Refer to Committee on Rules, Orders, Appointment, and Ordinances and Planning Board*)
6. 14.217 Ordinance: Amend §350-10.10B Detached Accessory Apartments (*Refer to Committee on Rules, Orders, Appointments, and Ordinances and Planning Board*)

The Items 3-6 above were referred on a voice vote of 9 Yes, 0 No.

7. 14.226 Ordinance: Amend §312-99 Violations and penalties (*Refer to Committee on Rules, Orders, Appointments, and Ordinances and Planning Board*)

Referred

Councilor O'Donnell moved to refer the above Ordinance to the Committee on Rules, Orders, Appointments and Ordinances and to the Transportation and Parking Commission; Councilor Adams seconded the motion. The Ordinance was referred as proposed by Councilor O'Donnell on a Voice Vote of 9 Yes, 0 No.

Item 32 only-Rules suspend and enrolled	<i>NONE</i>
Updates from Council President and Committee Chairs	Updates from Council President and Committee Chairs-- <i>NONE</i>
Information Requests (Charter Provision 2-7)	Information Requests (Charter Provision 2-7)-- <i>NONE</i>
New Business	NEW BUSINESS – Reserved for topics that the Chair did not reasonably anticipate would be discussed.-- <i>None</i>

At 8:35 p.m., a motion to adjourn was made by Councilor Spector and seconded by Councilor Adams. The vote to adjourn passed unanimously (9-0).

Attest: *Thomas L. Powers*, Clerk of Council

September 4, 2014 7:05 p.m.		ROLL CALL VOTE City Council 2014-2015							Councilor Jesse M. Adams		Councilor Maureen T. Carney		Councilor William H. Dwight		Councilor Alisa F. Klein		Councilor Marianne L. LaBarge		Councilor David A. Murphy		Councilor Ryan R. O'Donnell		Councilor Gina- Louise Sciarra		Councilor Paul D. Spector		Total	
Roll Called by Pamela L. Powers, Clerk of the City Council									Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	9 Present 0 Absent	
1.	Second Hand Dealer's License: James B. Crocker of 48 Graves Avenue, Northampton, MA for Modern Myths, Inc., 34 Bridge Street, #4 (Renewal)																									Approve Petition Voice Vote, 9 Yes, 0 No		
	<i>Councilor LaBarge moved to approve the petition; Councilor Sciarra seconded the motion. The petition was approved on a voice vote of 9 Yes, 0 No.</i>																											
2.	Second Hand Dealer's License: John Malkowski of 1 Acorn Drive, Holyoke, MA for Ryan's Jewelers, 14 Strong Avenue (New)																									Approve Petition Voice Vote, 9 Yes, 0 No		
	<i>Councilor LaBarge moved to approve the petition; Councilor Spector seconded the motion. The petition was approved on a voice vote of 9 Yes, 0 No.</i>																											
3.	Approval of Minutes from August 14, 2014																									Voice Vote 9 Yes, 0 No		
	<i>Councilor LaBarge moved approval of minutes; Councilor Spector seconded. The minutes were approved on a voice vote of 9 Yes, 0 No.</i>																											
4.	Approve Meeting Minutes: Transportation & Parking Commission Meeting, Minutes of July 15, 2014																									Voice Vote 9 Yes, 0 No		
	<i>Councilor O'Donnell moved approval of minutes; Councilor LaBarge seconded. The minutes were approved on a voice vote of 9 Yes, 0 No.</i>																											

September 4, 2014 7:05 p.m.		ROLL CALL VOTE City Council 2014-2015									Total
		Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sciarrà	Councilor Paul D. Spector	
5.	Board of Public Works: 14.224 Petition for Private to Public Roadways— Recommendation NOT to Accept Park Avenue 14.225 Petition for Private to Public Roadways— Recommendation NOT to Accept Paquette Avenue <i>Councilor Spector moved approve the recommendation not to accept Park Avenue and Paquette Avenue as Public Streets and to recognize members of the Board of Public Works; Councilor LaBarge seconded; the motion Passed on a voice vote of 9 Yes, 0 No.</i>										Voice Vote 9 Yes, 0 No
6.	Financial Order: 14.221 Appropriate from unallocated funds remaining in FY14 Cash Capital Program to the Academy of Music Fire Escape Renovation Account. (1 st Reading) <i>Councilor LaBarge moved approval in the first reading; Councilor Sciarrà seconded. The Financial Order was approved in first reading with a roll call vote of 9 Yes, 0 No.</i> <i>Councilor LaBarge moved to Suspend Rule 14 to allow for a second reading; Councilor Spector seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.</i> <i>Councilor LaBarge moved approval in the second reading; Councilor Sciarrà seconded. The Financial Order was approved in second reading with a roll call vote of 9 Yes, 0 No.</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1 st Reading Roll Call 9 Yes, 0 No Suspend Rule 14 Voice Vote 9 Yes, 0 No 2 nd Reading Roll Call 9 Yes, 0 No

September 4, 2014 7:05 p.m. ROLL CALL VOTE City Council 2014-2015		Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sciarrà	Councilor Paul D. Spector	Total
7.	Financial Order: 14.222 Appropriate from unallocated funds \$18,326 for a folding & inserting machine. (7 th Reading) <i>Councilor Murphy moved approval in the first reading; Councilor Carney seconded. The Financial Order was approved in first reading with a roll call vote of 9 Yes, 0 No.</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1 st Reading Roll Call 9 Yes, 0 No
8.	Financial Order: 14.223 Reprogram Muni Bldg ADA Access to City Hall Painting \$12,939.80. (7 th Reading) <i>Councilor LaBarge moved approval in the first reading; Councilor Sciarrà seconded. The Financial Order was approved in first reading with a roll call vote of 9 Yes, 0 No.</i> <i>Councilor LaBarge moved to Suspend Rule 14 to allow for a second reading; Councilor Spector seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.</i> <i>Councilor LaBarge moved approval in the second reading; Councilor Sciarrà seconded. The Financial Order was approved in second reading with a roll call vote of 9 Yes, 0 No.</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Suspend Rule 14 Voice Vote 9 Yes, 0 No 2 nd Reading Roll Call 9 Yes, 0 No

September 4, 2014 7:05 p.m.	ROLL CALL VOTE City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sclairra	Councilor Paul D. Spector	Total
Councilor Adams moved to approve street acceptances 9-17 below as a group and to waive reading of all of the Street Acceptances; Councilor Spector seconded. The motion passed on a voice vote of 9 Yes; 0 No.											Approved on a Voice vote 9 Yes, 0 No
9.	Financial Order: 14.201 City acquisition of Prospect Court as a public way. (2nd Reading)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2nd Reading Roll Call 9 Yes, 0 No
10.	Financial Order: 14.202 City acquisition of Lawn Avenue as a public way. (2nd Reading)										
11.	Financial Order: 14.203 City acquisition of Strawberry Hill as a public way. (2nd Reading)										
12.	Financial Order: 14.204 City acquisition of Tyler Court as a public way. (2nd Reading)										
13.	Financial Order: 14.208 City acquisition of Wilder Place as a public way. (2nd Reading)										
14.	Financial Order: 14.209 City acquisition of Carpenter Avenue as a public way. (2nd Reading)										
15.	Financial Order: 14.210 City acquisition of Bratton Court as a public way(2nd Reading)										
16.	Financial Order: 14.212 City acquisition of Isabella Street as a public way(2nd Reading)										
17.	Financial Order: 14.214 City acquisition of Edwards Square as a public way(2nd Reading)										
The Financial Orders above were approved in second reading with a roll call vote of 9 Yes, 0 No											

September 4, 2014 7:05 p.m.		ROLL CALL VOTE City Council 2014-2015										Total
Councilor Carney moved to approve street acceptances 18 and 19 below as a group; Councilor Spector seconded. The motion passed on a voice vote of 9 Yes; 0 No.												
18.	Financial Order: 14.200 City acquisition of Ahwaga Avenue as a public way. (2nd Reading)	Yes	Yes	Yes	Yes	Yes	Abstain	Yes	Yes	Yes	Yes	Approved on a Voice vote 9 Yes, 0 No
19.	Financial Order: 14.211 City acquisition of Baker Hill Road as a public way (2nd Reading) The Financial Orders above were approved in second reading with a roll call vote of 8 Yes, 0 No, 1 Abstention (Councilor Murphy)											2nd Reading Roll Call 8 Yes, 1 No, 1 Abstention (Councilor Murphy)
20.	Financial Order: 14.213 City acquisition of Church Street as a public way (2nd Reading) Councilor LaBarge moved approval in the second reading; Councilor Adams seconded. The Financial Order was approved in second reading with a roll call vote of 8 Yes, 0 No, 1 Abstention (Councilor Carney)	Yes	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2nd Reading Roll Call 8 Yes, 1 No, 1 Abstention (Councilor Carney)
21.	Financial Order: 14.215 Accept legislation regarding Retired Teacher Health Care Costs (2nd Reading) Councilor LaBarge moved approval of the order in the second reading; Councilor Spector seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2nd Reading Roll Call 9 Yes, 0 No
22.	Financial Order: 14.207 Approve \$1,500 for the Commission on Disabilities for supplies, events, travel, meetings, printing and mailing during FY2015. (2nd Reading) Councilor LaBarge moved approval of the order in the second reading; Councilor O'Donnell seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2nd Reading Roll Call 9 Yes, 0 No

September 4, 2014 7:05 p.m.		ROLL CALL VOTE City Council 2014-2015									
		Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William B. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sciarra	Councilor Paul D. Spector	Total
23	Ordinance: Amend §350-3.4 Zoning Map for Farms, Forests & Rivers (Positive Recommendation from Committee on Economic & Community Development, Housing & Land Use, Planning Board, and Committee on Rules, Orders, Appointments and Ordinances, 2 nd Reading) Councilor O'Donnell moved approval of the order in the second reading; Councilor LaBarge seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2 nd Reading Roll Call 9 Yes, 0 No
24	Ordinance: Amend §350 Section 2.1 Affordable Units (No Recommendation from Committee on Economic & Community Development, Housing & Land Use; positive recommendation from Committee on Rules, Orders, Appointments and Ordinances, 1 st Reading) Councilor Carney moved to approve the Ordinance in the first reading; Councilor Spector seconded the motion. The Ordinance passed in 1 st reading on a Roll Call Vote of 9 Yes, 0 No. Councilor LaBarge moved to Suspend Rule 14 to allow for a second reading; Councilor Spector seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No. Councilor Carney moved to approve the Ordinance in the second reading; Councilor O'Donnell seconded the motion. The Ordinance passed in 2 nd reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1 st Reading Roll Call 9 Yes, 0 No Suspend Rule 14 Voice Vote 9 Yes, 0 No 2 nd Reading Roll Call 9 Yes, 0 No
Councilor Adams moved to refer Ordinances 25/28 below to the Committee on Rules, Orders, Appointments and Ordinances as a group; Councilor Spector seconded.											

September 4, 2014 7:05 p.m.		ROLL CALL VOTE City Council 2014-2015									Total
	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sciarrra	Councilor Paul D. Spector		
25.	14.219 Ordinance: Amend §312-104 Schedule III: Limited-Time Parking (<i>Refer to Committee on Rules, Orders, Appointments, and Ordinances</i>)									Voice Vote 9 Yes, 0 No	
26.	14.220 Ordinance: Amend §312-109 Schedule VIII: On Street Parking Meter Zones (<i>Refer to Committee on Rules, Orders, Appointments, and Ordinances</i>)										
27.	14.218 Ordinance: Amend §350.12.2-6 Lighting Standard Review/Assessment (<i>Refer to Committee on Rules, Orders, Appointment, and Ordinances and Planning Board</i>)										
28.	14.217 Ordinance: Amend §350-10.10B Detached Accessory Apartments (<i>Refer to Committee on Rules, Orders, Appointments, and Ordinances and Planning Board</i>)										
	<i>The Items 25-28 above were referred on a voice vote of 9 Yes, 0 No.</i>										
29.	14.226 Ordinance: Amend §312-99 Violations and penalties (<i>Refer to Committee on Rules, Orders, Appointments, and Ordinances and Planning Board and Transportation and Parking Commission</i>)									Voice Vote 9 Yes, 0 No	
	Councilor O'Donnell moved to refer the above Ordinance to the Committee on Rules, Orders, Appointments and Ordinances and to the Transportation and Parking Commission; Councilor Adams seconded the motion. The Ordinance was referred as proposed by Councilor O'Donnell on a Voice Vote of 9 Yes, 0 No.										

At 8:35 p.m., a motion to adjourn was made by Councilor Spector and seconded by Councilor Adams. The vote to adjourn passed on a voice vote of 9 Yes, 0 No.